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ORDER E-FILED 7/17/2009

Attorneys for Defendant,
HILTON SAN JOSE AND TOWERS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ACCESSIBILITY FOR ALL, INC. a New
York Corporation, and NELSON M.
STERN, Individually,

Case No. C05-04128- HRL

Plaintiffs,

**STIPULATION AND ORDER RE:
AMENDMENT TO CONSENT DECREE
AND ORDER ENTERED ON OCTOBER
3, 2006**

vs.

HILTON SAN JOSE & TOWERS, HILTON
SAN JOSE HOTEL, HILTON HOTELS
CORPORATION, SAN JOSE
REDEVELOPMENT AGENCY/WEST
HOTEL,

**JUDGE: Hon. Howard R. Lloyd
ACTION FILED: October 12, 2005
ACTION DISMISSED: April 20, 2007**

Defendants.

STIPULATION

WHEREAS a Consent Decree and Order was entered by this Court on October 3, 2006 ("Consent Decree") which set forth a settlement of this action, including the injunctive relief agreed upon by the parties. Said injunctive relief was itemized and attached to the Consent Decree as Exhibit B;

WHEREAS the Consent Decree provided that the Court would retain jurisdiction of the action for a period of three years, or until the injunctive relief contemplated by the Consent Decree was completed, whichever occurred later; and

WHEREAS an error was discovered on Exhibit B and the parties have agreed to amend the Consent Decree to correct that error as set forth below.

1 IT IS HEREBY STIPULATED by and between the parties, through their respective
2 counsel, that Exhibit B to the Consent Decree be amended as follows:

3 The Comments reflected for Fac # 1, ID number 2470 shall be deleted in their entirety
4 and the following statement put in its place: "The detectable warnings are substantially in
5 compliance as built and to require modification would be unduly burdensome. Therefore, no
6 further action is required."

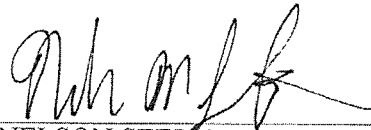
7
8 DATED: July 15, 2009

McMANIS FAULKNER



SHARON KIRSCH
Attorneys for Defendant

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13 DATED: July 13, 2009



NELSON STERN
Attorneys for Plaintiff

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17 IT IS SO ORDERED.

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19 DATED: July 17, 2009



HONORABLE HOWARD R. LLOYD
United States ~~District~~ Judge
Magistrate